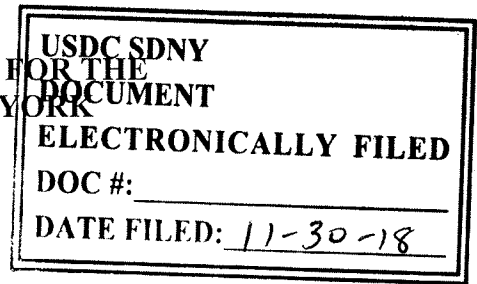


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK



UMB Bank, N.A., *as Trustee*,

Plaintiff,

- against -

SANOFI,

Defendant.

Civil Action No.: 1:15-cv-08725
(GBD) (RWL)

~~PROPOSED~~ SIXTH AMENDED DISCOVERY PLAN AND SCHEDULING ORDER

WHEREAS, on September 24, 2018, the Court “So Ordered” the Fifth Amended Discovery Plan and Scheduling Order (ECF No. 215);

WHEREAS, Plaintiff and Defendant (together, the “Parties,” and each a “Party”) have jointly requested a modification to the Fifth Amended Discovery Plan and Scheduling Order;

NOW, THEREFORE, pursuant to Rules 16(b) and 26(f) of the Federal Rules of Civil Procedure (the “Federal Rules”), the Court hereby adopts the following stipulated amended discovery plan and scheduling order.

I. DISCOVERY PLAN

a. **Conduct of Discovery**: All discovery shall proceed in accordance with the applicable Federal Rules and the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York (the “Local Rules”), except as otherwise ordered by the Court or as specified herein.

II. SCHEDULING ORDER

a. Expert Discovery

i. Plaintiff shall identify expert witnesses and serve the written reports or disclosures of such expert witnesses, as required by Federal Rule 26(a)(2)(B)-(C), on or before January 25, 2019.

ii. Defendant shall identify expert witnesses including any rebuttal expert witnesses and serve the written reports or disclosures of such expert witnesses, including any rebuttal expert witnesses, as required by Federal Rule 26(a)(2)(B)-(C), on or before April 5, 2019. Defendant shall take depositions of Plaintiff's expert witnesses prior to submission of Defendant's expert reports.

iii. Plaintiff shall identify any rebuttal expert witnesses and serve the written rebuttal reports of such rebuttal expert witnesses, as required by Federal Rule 26(a)(2)(B)-(C), on or before June 14, 2019. Plaintiff shall take depositions of Defendant's expert witnesses prior to submission of Plaintiff's rebuttal expert reports.

iv. Depositions of all experts shall be completed on or before July 26, 2019. Defendant shall be entitled to depose all rebuttal expert witnesses even if such rebuttal expert witnesses were previously deposed in connection with previous reports. Any depositions taken by Defendant of Plaintiff's rebuttal expert witnesses (if any) after service of written rebuttal reports are limited to the issues in the rebuttal reports.

b. Dispositive Motions

i. Motions for summary judgment shall be served on or before September 13, 2019; opposition papers shall be served on or before November 8, 2019; and reply papers shall be served on or before December 20, 2019.

c. Other Scheduling Matters

i. A joint pretrial order shall be filed on or before September 30, 2019, unless a motion for summary judgment is made under subsection (b)(i) *supra*. In the event one or more motions for summary judgment are made, the date for submitting a joint pretrial order shall be 30 days from the issuance of a written decision on the motion(s).

ii. A final pre-trial conference will be held at a date and time to be determined by the Court.

iii. Every ⁶⁰~~45~~ days, the Parties shall submit a joint status letter no longer than 5 pages.

iv. No further extensions ~~about compelling circumstances~~
under any circumstances.

DATED: November 29, 2018

CAHILL GORDON & REINDEL LLP

By: /s/ Charles A. Gilman

Charles A. Gilman
80 Pine Street
New York, NY 10005
Telephone: 212-701-3000
Facsimile: 212-378-2195
Email: cgilman@cahill.com

Michael B. Weiss
80 Pine Street
New York, NY 10005
Telephone: 212-701-3000
Facsimile: 212-378-2616
Email: mweiss@cahill.com

*Attorneys for Plaintiff UMB Bank, N.A., as
Trustee*

WEIL, GOTSHAL & MANGES LLP

By: /s/ John A. Neuwirth

John A. Neuwirth
767 Fifth Avenue
New York, NY 10153
Telephone: 212-310-8000
Facsimile: 212-310-8007
Email: john.neuwirth@weil.com

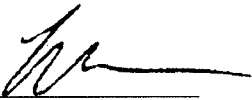
Joshua S. Amsel
767 Fifth Avenue
New York, NY 10153
Telephone: 212-310-8000
Facsimile: 212-310-8007
Email: joshua.amsel@weil.com

Stefania D. Venezia
767 Fifth Avenue
New York, NY 10153
Telephone: 212-310-8000
Facsimile: 212-310-8007
Email: stefania.venezia@weil.com

Attorneys for Defendant Sanofi

IT IS SO ORDERED:

Nov. 30, 2018
New York, New York


HONORABLE ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE